

**ANALYSIS OF THE REAL  
PROPERTY PERMIT  
ISSUANCE PROCESS**

**MUNICIPALITY OF  
BLAGOEVGRAD, BULGARIA**

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Prepared by

Mosko Aladjem  
MTK Konsult

under subcontract to

The Urban Institute



**THE URBAN INSTITUTE**

2100 M Street, NW  
Washington, DC 20037  
(202) 833-7200  
[www.urban.org](http://www.urban.org)

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# **ANALYSIS OF THE REAL PROPERTY PERMIT ISSUANCE PROCESS**

## **MUNICIPALITY OF BLAGOEVGRAD, BULGARIA**

### **INTRODUCTION**

The objective of this project is to improve the Blagoevgrad municipal administration's service delivery process. Assistance shall be rendered to the municipality with the goal of improving services pertaining to citizens' property. For this purpose:

- ! The list of all services related to citizens' property which the municipal administration is obliged to deliver was clarified.
- ! Possible variations of these services were identified.
- ! The service delivery process was carefully examined in order to identify the sequence of tasks required of employees from various departments.
- ! A flow chart of each service's process was created and evaluated.
- ! The approximate time needed to conduct each step of service delivery was established.

This approach allows three departments of the municipal administration, Construction Controls, Urban Development, and Cadastre Land Register, to use a minimum investment to essentially improve their work. All solutions recommended in this project comply with the existing legislation. The list of legal acts and bills regulating service delivery is included in Appendix A.

### **PROCESSES FOR DELIVERING TECHNICAL SERVICES**

#### ***Analysis of the Process***

According to existing legislation, local government administration is obliged to deliver 23 types of services for a minimum fee. A list of these services is provided in Appendix B. They include examining documents, analyzing maps, initiating administrative proceedings, producing text and graphs documents, and documenting changes made to properties over time. Due to the low level of automation, these activities typically requires a great deal of routine, tedious labor. The process is slowed by inefficiency and procedural ambiguity. These issues will be discussed in detail below.

In order to identify the problems and complexity involved in these tasks, two of the typical services most often performed by the Municipality of Blagoevgrad are to be examined in this report. Other services offered are either similar in nature or are less labor-intensive.

The author of the report acknowledges the assistance rendered by architect P. Dimova, engineer Sirachevska, and engineer Paskov from Blagoevgrad in examining these services.

### **Issuance of Sketch Map**

A sketch map is a document that certifies the existence of a property by describing its boundaries, size and characteristics pertaining to its development, and its physical and legal status. The map also shows how buildings are to be erected in compliance with urban development plans and provides data on underground and surface street pipelines, water ways, electric power and heat supplies, and the waste water sewer network.

Most frequently, this document is used as initial information for designers who have been assigned to produce architectural or other plans for construction work to be undertaken on the land plot or property. In certain cases the construction map can also be used as evidence demonstrating the quality and characteristics of the property to potential buyers.

The process of obtaining a sketch map, as observed in the municipality of Blagoevgrad, is as follows:

- ! It is an established practice that the citizen must file a request with the bookkeeping department asking for the issuance of a sketch map. However, there is no standard format. The request must include a document proving titleship, granting the owner the right to undertake construction on the property. When the request is accepted, it is entered in a special registry for submitted requests. Parts of the documents are often missing, because the applicants are not familiar with the legislative requirements. The employee who accepts them may also be unfamiliar with these requirements, or may not point out any omissions. Thus, the request is often practically invalid until the second call of the citizen.
- ! The request is forwarded to a Deputy Mayor who is responsible for construction in the municipality. The Deputy Mayor, in turn, refers the request to the Planning Department.



- ! After reading the application, the head of the Planning Department sends it on to the appropriate department. This is either the Construction Control, Urban Development, or Cadastre Land Register Department.
- ! After ascertaining that legal demands are fulfilled, the head of the respective department (usually this is Cadastre and Regulation Controls) instructs a draftsman to produce the sketch. The latter usually reproduces the draft on a sheet of tracing paper. When an accurate draft is made, the head of the department approves the draft, and it is forwarded to the Urban Development Unit, where the construction permit will be entered in accordance with the existing construction regulation.
- ! The head of the Urban Development Unit enters the permit<sup>1</sup> on the draft.
- ! The chief architect then examines and compares the draft with any available maps, and signs it.
- ! The citizen pays a fee for the service at the cashier's desk.
- ! Finally, the sketch map can be picked up from the bookkeeping department.

No statutory standard format of the sketch map exists in Bulgaria. Nevertheless, maps produced by different municipalities around the country are more or less alike. Typically the map contains elements of the cadastre and regulation plans. The document also contains other information concerning the proprietors or the surrounding area.

It is often necessary to conduct additional land survey if the cadastre plan is old and in need of an update.

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<sup>1</sup> In some more peculiar cases, when there is a construction development plan or a vertical development plan, copies of these are also attached.

**Table 1**  
**Sketch Map Issuance Process: Municipality of Blagoevgrad**

	Documentati on and Archive	Deputy Mayor or Mayor	Chief Planning Department	Chiefs Cadastre and Regulation	Chiefs Urbanization Department	Chief Architect
Acceptance and registration of request	X					
Resolution for research		X				
Redirection to appropriate department			X			
Order for drawing after research				X		
Matching on the sketch of building permit					X	
Sign the sketch and review of permit						X
Accept the fee for service						
Register the execution of the service	X					

### Issuance of Real Estate Permits

The aim of this service is to produce a document certifying that the municipality has established the existence of any necessary conditions and will allow work to be undertaken for the construction of buildings, facilities, networks etc.

The construction permit is most often used to determine the construction outlines and level; the specific types of construction works to be undertaken; to begin the disbursement of funds if the construction works will be loan-funded; or to prove the legitimacy of the construction to the monitoring authorities.

In order to obtain a construction permit the citizen must do the following:

- ! The bookkeeping department accepts the request for a real estate permit, which comes on a standard form with the request for approval of the design. Requests for real estate permits are combined with requests for other types of services closely linked to the construction of the facility, such as:





- Permits to erect temporary structures necessary for the organization and mechanization of the construction works;
  - Permits to use part of the sidewalk and/or the street as part of the construction site;
  - Permits to use the existing structures, buildings, etc. which will be subject to demolition in connection with the new construction until the construction is completed; and
  - Determining a disposal site for excavated earth and humus layer.
- ! The request is forwarded to the Deputy Mayor in charge of construction, who then refers it to the Planning Department.
- ! The chief architect analyzes the request and refers it to the Construction Control Department. These experts determine:
- Whether the owners of properties that form part of the land plot on which construction is to be undertaken have been properly paid, and whether all requirements for acquiring this plot have been met.
  - Whether the inhabitants of buildings subject to demolition have been moved out in accordance with the established order, and whether the site has been cleared.
- ! The Head of the Construction Control Department submits the request for consideration to the Architectural Urban Development Committee. This is the local government body that permits construction works to be undertaken on the territory of the municipality.
- ! The Architectural Urban Development Committee (AUDC) makes a decision. This is formally recorded in the minutes of the Committee meetings.
- ! Upon the decision of the AUDC, the Chief Architect approves the design and returns it to the Architectural Construction Committee (ACC) inspector.

**Table 2**  
**Real Property Construction Permit Issuance: Municipality of Blagoevgrad**

	Documentati on and Archive	Deputy Mayor or Mayor	Chief Architect	Inspector Architect - Construction Control	Architect - Urbanization Commission	Cashier
Acceptance and registration of request	X					
Resolution of the request		X				
Resolution of the request			X			
Redirection to Architect - Urbanization Commission				X		
Approves or not with protocol					X	
Approves the project and signs			X			
Check for the necessary documents and issues the permit				X		
Accept the fee for service						X
Register the execution of the service	X					

### ***Deficiencies in the System***

A great number of objective and subjective problems exist in the work of the above mentioned departments. Many factors contribute to slowing the process down.

These first problems stem from the way the system is constructed:

- ! The process is slowed down because the documents must go through so many channels. All documents entering the administration are registered at the bookkeeping department and then are forwarded to the Mayor or Deputy Mayors for analysis. They refer the requests to the respective heads of departments. The heads of departments analyze the requests and then refer them to the relevant experts. The heavy work load of the top officials slows the process down even further.



- ! The lack of standard forms for the requests makes this analysis a cumbersome job for the officials.
- ! Many of the requests must be accompanied by additional documents in order to make the service delivery possible. Due to the ambiguity of the procedure, such documents are quite often not enclosed and the request is returned after the Deputy Mayor and the head of the appropriate department have already handled it. In such cases the administration addresses a letter to the citizen demanding the relevant documents. This might cause an additional delay of 3-7 days.

The second group of issues have to do with producing the sketch:

- ! The documents are often drafted manually by the draftsman, on the basis of the existing cadastre and regulation plans. This process can be extremely time-consuming due to a lack of automation and the time involved in tasks such as finding the appropriate sheet and analyzing the state of the property and its history.
- ! A great portion of the work consists of reproducing multiple parts of the existing cadastre and regulation plans (maps). These plans are kept on 100x60 cm. sheets of durable cardboard. Whenever a change has to be made on these maps, the old line is crossed out with brown pencil and a new line is drawn.
- ! The quality of manually drafted documents is often low. This is due to the fact that the data are measured by hand on the map with a thick pencil, with precision up to 0.2 millimeters. Data measured and entered as coordinates are not precise and discrepancies can be easily traced on the plot and even objected to before the court.
- ! When it is necessary to modify the scale, drafting of the document is very slow. Some municipal administrations now use special devices for changing the scale, but in Blagoevgrad they do not have such a device. After the digital model is established this will not be necessary.
- ! As a rule draftsmen are overburdened, so applicants have to queue for their sketches.

Unfortunately, the structure of the permit process sometimes leads citizens to take matters into their own hands, leading to further problems:

- ! Because of the considerable delay in the delivery of the service, the citizens frequently try to speed up the process by making direct contact with the experts and carrying the documents from one department to another themselves. This can become a source of mistakes and misunderstandings during the technical process.

The following problems relate to the difficulties caused by the way information is stored in the municipality:

- ! When issuing sketches and real estate permits, it is very often necessary to trace the changes on a land plot back over time, sometimes 30-50 years. For this purpose a series of sketches are produced to show the changes. The job of finding the maps for past periods is very difficult, and once they are found they are of very low quality. In addition to this, parallel to the changes in the plot itself, the title holder of the plot has sometimes changed. Information regarding ownership is kept in several registries, which are not maintained in the local government administration. The information can only be obtained from the notary office, which is a separate institution with no direct contact with the municipal administration.
- ! Since the municipality does not have proper facilities to store the maps, they are kept unprotected in a place where access is unrestricted. The maps are exposed to various risks including being lost. This has sometimes resulted in an abuse of power when it became widely known that the maps had been misplaced.

Finally, the unstable economic situation can bring financial losses to the citizens. The inflation rate is rather high (10-15 percent per month, equal to the depreciation rate of the domestic currency). Any delay of even 1 or 2 weeks in issuing a document causes losses or opportunity costs for the citizen of up to 10-15 percent of the value of the property. This by far exceeds the government fee for issuing the document.

## **RECOMMENDATIONS FOR IMPROVING THE PERMIT PROCESS**

### ***Optimizing the Process and Implementation of a Task Management System***

The technical processes used currently can be improved in two ways:

- ! Simplifying, or eliminating, some of the bureaucratic procedures involved in the system. Currently, the Mayor, Deputy Mayors and heads of departments are all involved in deciding which department



is responsible for each application. The bookkeeper could make the decision immediately, thus eliminating several steps. For this purpose, special standard forms should be developed, clearly describing each service. The respective employees responsible for different services should receive them directly, in order to bypass the Mayor, Deputy Mayors and heads of departments.

- ! Second, by introducing a computerized system that would allow the each step of the delivery of service at each department to be monitored.

### ***Implementation and Use of a Digital Cadastre Map***

The implementation of specialized software for maintaining a digital cadastre map of the municipality could be the best way to improve service delivery in Blagoevgrad. With this system the entire process of extracting maps or other graphic material will be reduced to only 30-60 seconds, and the precision and quality of the documents will be improved and standardized.

The use of digital cadastre maps in local government administration is new technology for this country. It can bring great improvements to the current system. In order to be successful, the local government administration must consider the following issues:

- ! **Choosing Appropriate Software.** The choice of both basic and applied software should be made with a view to the financial constraints of the local government in terms of the software's initial costs and estimated maintenance expenses.
- ! **Choosing Appropriate Hardware.** The hardware should be chosen as an appropriate complement for the software to be used.
- ! **Establishing a Digital Model of the Territory.** This is the most costly step to be undertaken, but it is a necessity. Currently, it is quite normal to develop a new cadastre map every 8-10 years. This is due to the fact that with the currently used technology after 5-8 years of use the cadastre map is worn out, and is no longer fit for use. Many corrections are made over time, and it becomes practically unreadable. If a digital model is developed, the map will only have to be supplemented in the future, without requiring complete replacement.

At a later stage, data of underground and surface infrastructure facilities could be entered into the digital model. This could be important for a broad range of customers. The documents produced on a computerized system will be much more precise, not only from a technical point of view. Its connection to the population database will reduce the discrepancies in descriptions and calculations in text documents.

## EXPECTED RESULTS

### *Speeding up Service Delivery and Improving its Quality*

The development of a digital model of the municipality will allow full automation of the production processes of textual and graphical documents. Changing the procedures and implementing computerized technologies, such as the digital model, will shorten the time for technical work on the service. Instead of a few weeks, applicants will receive a response in less than 24 hours.

The main improvements will be the following:

- ! The leadership of the municipality can obtain a specification in writing or a graph of the activities where unresolved problems have piled up at any time.
- ! Additional staff can be allocated to specific activities where needed.
- ! The movement of each request can be traced at any moment to control its implementation within the time frames required by law.
- ! All citizens have equal rights and a definite level of anonymity - direct contacts with the employees are reduced to a minimum.
- ! Paper work is reduced to a minimum.
- ! The system's database can be used as source data for delivery of other services. For example, the cadastre code number is sufficient to explicitly identify ownership on the map and to draft the necessary sketch.
- ! A digital archive of the documents is maintained.
- ! All documents have a uniform format and the quality of printouts is high.



- ! The work of the staff is made easier, since the system allows automation of many of the routine procedures in producing the documents.
- ! All tasks to be performed by an employee follow an order, with clearly set priorities.
- ! The top officials of the municipality can intervene openly and demand a change in the order (priorities) of the tasks when necessary.
- ! Some stages of service delivery could be delivered for a larger fees and treated as a higher priority.

### ***Increasing the Number of Services Delivered***

The digital model of the cadastre and regulation plan can be used by other departments of the administration, and would be of interest to a number of outside institutions and companies as well. This is a precondition for expanding the range of administrative and technical services delivered to citizens, businesses and organizations.

### ***Increasing Security***

Establishing a delivery system of these services will allow the local government administration to establish better control over access to data provided to individual employees and will prevent unauthorized access. The issuance of each document will be documented at the bookkeeping department and in the computerized system, which will reduce opportunities for abuses of power.

In conclusion, it should be noted that the implementation of the above methods and computerized technologies will increase citizen and business confidence in the local government administration.





## **APPENDIX A**

### **LIST OF LAWS AND OTHER ACTS SETTling SERVICE DELIVERY TO CITIZENS**

1. Decree 2472: For Provision of Administrative and Legal Services.
2. Territorial and Urban Planning Act.
3. Unified Cadastre Act.
4. Renting Relations Act.
5. Contracts and Obligations Act.
6. Law on Co-operatives for Housing Condominium Development Act.
7. Local Taxes and Fees Act.
8. Law on Persons and Family.
9. Property Act.
10. Family Code.
11. Regulations for Enforcement of the Territorial and Urban Development Act.
12. Regulations for Enforcement of the Unified Cadastre Act.
13. Regulations for Enforcement of the Renting Relations Act.
14. Regulations on Entries.
15. Ordinance 6 on Government Acceptance and Authorization of Usage of New Buildings in Republic of Bulgaria.
16. Ordinance 5 on the Standards and Rules for Territorial and Urban Development.
17. Tariff of Local Fees pursuant to the Local Taxes and Fees Act.
18. Rules and Standards for Urban Planning.
19. Reference Book for Administrative and Technical Servicing of the Population.
20. The ACC inspector checks all documents including the title holding, approved designs, permit, etc., and issues the construction permit.
21. The citizen pays a fee for the construction permit and for the approval of the design.
22. The bookkeeping department enters the completed service requested by the citizen in the registry.



## **APPENDIX B**

### **LIST OF ADMINISTRATIVE AND TECHNICAL SERVICES**

- ! Issuance of a real property sketch.
- ! Issuance of a real property sketch with development plan.
- ! Replenishment of an approved cadastre plan.
- ! Letter to the court for issuance of a writ of execution for accounts receivable from an effective assessment.
- ! Letter to the notary for issuance of a notary real property deed. Issuance of a permit.
- ! Modification of urban development plans that have come into effect.
  - Development and regulation plans, block development plans, silhouette plans and profiling.
  - Plot regulation plans developed upon request of interested owners.
  - Plot development plans upon decision of the court in connection with suits for partitioning of parcels.
- ! Approval of designs.
  - For buildings, structures, facilities and networks.
  - For construction in a common parcel.
- ! Issuance of permits.
  - Construction permit for buildings, structures, facilities and networks.
  - Reconstruction permit for buildings and structures.
  - Permits for rehabilitation of buildings and structures.
  - Permits for revamping buildings and structures.
  - Permits for demolishing houses except in cases when this is needed in connection with new construction.
  - Permits for storage of construction materials.
  - Permit issued to own of the owners of the property to undertake construction, etc., affecting the property at the expense of the remaining owners.
  - Permits issued by the regional inspectorates for technical supervision for construction and reconstruction of buildings and facilities, including plant and equipment subject to special regulation.



- ! Acceptance of buildings and issuance of permits for habitation.
- ! Legalization of illegal construction works.
- ! Demolition of buildings that are no longer fit for usage.
- ! Construction of temporary roads.
- ! Establishment of temporary right of way through private property.
- ! Securing in an administrative order of free access to private property.
- ! Compulsory purchase of real property for the purposes of new construction and granting compensation to persons entitled to receive one.
- ! Modification of an effective order for compulsory purchase and compensation.
- ! Revaluation of real property, purchased in a compulsory order pursuant to the Territorial and Urban Development Act.
- ! Determining compensation
  - For regulatory parcel adjustment.
  - For urban planning measures.
- ! Issuance of documents certifying facts and circumstances relating to the regional and urban development.
- ! Certification of duplicates of documents and copies of plans and documents enclosed therein.
- ! Providing verbal information on the cadastre, regulation and urban development status of real property.
- ! Entering changes in the list of owners attached to the cadastre plan.